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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/672,292 | 09/26/2003 | Hisao M. Chang | 1033-T00537 | 8322 |

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EXAMINER

SING, SIMON P

ART UNIT PAPER NUMBER

2614

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/22/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/672,292

Applicant(s)

CHANG, HISAO M.

Examiner

Simon Sing

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29, 30 and 38-59 is/are pending in the application.
- 4a) Of the above claim(s) 29, 30, 38, 39 and 57-59 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 40-56 (Group II) in the reply filed on 12/27/2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

2. Claim 41 (between claims 50 and 52) is objected to because of the following informalities: Another claim 41 (after claim 40) already exists. Examiner believes that this is a typo and it should be re-numbered as claim 51. Appropriate correction is required.

In the following office action, examiner interprets this claim as claim 51.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 40-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds et al. US 6,925,155 in view of McNerney et al. US 6,038,293 and further in view of Shambaugh et al. US 6,598,021.

3.1 Regarding claim 40, Reynolds teachers system for routing calls to difference interactive voice response units (IVRs) in figure 2, comprising:

a data module (Hub Switch 160) to receive an incoming call, the data module responsive to one or more remote IVR 170, 172, 174 and IVRs in call centers 176, 178, 182 and 184 (column 5, lines 44-66; column 3, lines 46-54; column 8, lines 30-34), the data module selectively answering the incoming call (only calls directed to IVR 170 and call center 184);

a first IVR 170 coupled to the data module responsive to the incoming call to engage an voice dialog with a caller using a set of language models to generate a message (column 5, line 58 to column 6, line 25; column 9, lines 18-37), and to generate a routing message (column 9, lines 18-37; column 6, lines 18-25; column 4, lines 44-52); and

a call routing module (such as Terminal Switch 120 or Hub Switch 160) coupled to the first IVR to receive and to decode the message, the routing module responsive to a table of routing rules (column 3, lines 46-54; column 5, lines 44-57; column 6, lines 2-7) to rout the incoming call to a destination address, the destination address comprises a call center, such as call center 184, with another (second) IVR (column 3, lines 46-54; column 5, lines 44-57).

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Reynolds teaches routing calls between IVRs and call centers (column 3, lines 46-54; column 5, lines 44-57) but fails to teach routing a caller to a call center is based on determining that a live agent is required to handle the call.

However, McNerney teaches transferring telephone calls between IVRs and call center when determined by an IVR that a call center agent is required (column 1, lines 29-44).

In addition, Shambaugh teaches that an IVR 128 receives calls from PSTN 108 and Internet 106 (voice over IP) via switch 134 (figure 3; column 2, line 59 to column 3, line 16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Reynolds' reference with the teachings of McNerney and Shambaugh, so that incoming calls would have come from both a telephone network and an IP network, and a call would have been routed to a call center based on a caller request to speak with a service agent, because such a modification would have clarified the reason for routing a call from a IVR to a call center, and also would have expanded system's capability including receiving calls from an IP network.

3.2 Regarding claim 41, Reynolds teaches a customer database (column 4, lines 22-38, 62-67; column 5, lines 1-30).

3.3 Regarding claim 42, Reynolds teaches a language preference as stated above.

3.4 Regarding claim 43, Reynolds teaches transferring a call to a call center as stated above.

3.5 Regarding claim 44, Reynolds teaches playing a group message (for language selection) to callers who do not have language preference associated with calling telephone numbers (column 9, lines 18-26).

3.6 Regarding claim 45, Reynolds teaches coupling the customer database to a switch (column 4, lines 22-38, 62-67; column 5, lines 1-30).

3.7 Regarding claim 46, Reynolds teaches playing a default message to callers who do not have language preference associated with calling telephone numbers (column 9, lines 18-26).

3.8 Regarding claim 47, the modified Reynolds' reference teaches transferring a call to a live agent as discussed above.

3.9 Regarding claim 48, Reynolds teaches additional IVR in a call center 182 oar 184 (figure 2).

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3.10 Regarding claim 49, Reynolds teaches a SCP 140 (column 3, lines 57 to column 4, lines 41).

3.11 Regarding claim 50, Reynolds teaches language preference of a customer (caller) (column 4, lines 9-41).

3.12 Regarding claim 51, Reynolds teaches routing a call based language preference (priority) of a caller (column 4, lines 9-41).

3.13 Regarding claim 52, Reynolds teaches language preference of a caller and a call center has agents speak one certain language, it is obvious that callers are routed to different call centers based on the language preference, and are queued in separate queue according to the language preference.

3.14 Regarding claim 53, Reynolds teaches a plurality of IVRs 170, 172, and 174 in figure 2

3.15 Regarding claim 54, it is obvious that difference IVRs in different call centers performs different functions (see Colson et al. US 7,180,985).

3.16 Regarding claim 55, the modified Reynolds' reference teaches that a call center includes a computer telephony interface (McNerney, column 3, lines 36-51).

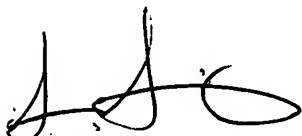
3.17 Regarding claim 56, the modified Reynolds' reference teaches sending data to an agent's workstation for display (McNerney, column 3, lines 36-51).

Response to Arguments

4. Applicant's arguments with respect to claims 40-56 have been considered but are moot in view of the new ground(s) of rejection.

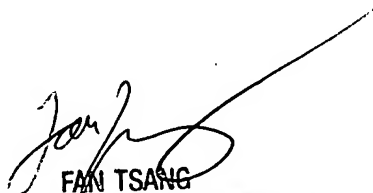
Conclusion

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

03/09/2007



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